

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Allstate Insurance Company, et al.,

Plaintiffs, Case No. 17-cv-13823

v.

Judith E. Levy
United States District Judge

Utica Physical Therapy, Inc., et al.

Mag. Judge R. Steven Whalen

Defendants.

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**AMENDED ORDER GRANTING IN PART AND DENYING IN
PART ATTORNEY CURTIS R. WILLNER'S MOTION TO
WITHDRAW [95]**

On October 12, 2018, Attorney Curtis R. Willner moved to withdraw as counsel of record for defendants Stefan Glowacki, M.D., and Stefan Glowacki, M.D., P.C. (Dkt. 95.) Plaintiffs objected. (Dkt. 97.) In their view, defendants have consistently delayed the litigation, allegedly to avoid answering the allegations against them. (*Id.* at 5.) Plaintiffs requested that the motion be stayed, until defendants can secure alternative representation. (*Id.* at 6.)

The Court agrees. Although Willner states that the “Attorney-Client relationship between him and said Defendants has broken down

to the point where he can no longer zealously represent them” (Dkt. 95), he provides no further clarification, and he fails to explain why this problem has arisen now, eight months after commencing representation. The Court also notes the poor timing of the motion, filed a mere week before the case’s scheduling conference. (Dkt. 93.)

In accordance with local rule 83.25(b)(2), an attorney may only withdraw on order of the Court. Having considered the motion, it is stayed until defendants have secured replacement counsel. Defendants are **ORDERED** to retain one or more alternative attorneys in this matter within thirty days from the date of this order. Willner is **ORDERED** to continue to represent defendants for thirty days, after which his motion is granted. If, after thirty days, defendants have not retained replacement counsel, plaintiffs may then request a clerk’s entry of default and subsequently apply for a default judgment in accordance with Federal Rule of Civil Procedure 55.

IT IS SO ORDERED.

Dated: October 22, 2018
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 22, 2018.

s/Shawna Burns
SHAWNA BURNS
Case Manager